

RECEIVED
CENTRAL FAX CENTER

NOV 01 2006

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

PATENT, TRADEMARK & COPYRIGHT ATTORNEYS

P.O. Box 2938

Minneapolis, MN 55402

Telephone (612) 373-6900

Facsimile (612) 339-3061

November 1, 2006

Time:

10:53AM
(Minneapolis, Minn.)TO: Commissioner for Patents
Attn: Mark Bockelman
Patent Examining Corps
Facsimile Center
P.O. Box 1450
Alexandria, VA 22313-1450FROM: Suneel AroraOUR REF: 279.D32US1TELEPHONE: 571-272-4941FAX NUMBER (571) 273-8300

* Please deliver to Examiner Mark Bockelman in Art Unit 3766. *

Document(s) Transmitted: Copy of Information Disclosure Statement and 1449 Form previously filed on July 13, 2000 (4 pgs.), Copy of stamped returned postcard (1 pg.).Total pages of this transmission, including cover letter: 6 pgs.

If you do NOT receive all of the pages described above, please telephone us at 612-373-6900 or fax us at 612-339-3061.

In re. Patent Application of: Rodney W. Salo et al.Examiner: Mark BockelmanSerial No.: 09/545,536Group Art Unit: 3766Filed: April 7, 2000Docket No.: 279.D32US1Title: CARDIAC RHYTHM MANAGEMENT SYSTEM WITH OPTIMIZATION OF CARDIAC PERFORMANCE USING HEART RATE

Please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

By:

Name: Suneel AroraReg. No.: 42,267

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Paula Suchy

Date of Transmission

RECEIVED
CENTRAL FAX CENTER

NOV 01 2006

PATENT APPLICATION
Our File No.: 980457.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Rodney W. Salo et al.
S.N. : 09/545,536 : July 13, 2000
Filed : April 7, 2000
For : CARDIAC RHYTHM MANAGEMENT
SYSTEM WITH OPTIMIZATION OF
CARDIAC PERFORMANCE USING HEART RATE

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER RULE 1.56

Applicant(s) herein make available to the Patent and Trademark Office a copy of Form PTO-1449 which lists the following document(s), copies of which are enclosed. This Information Disclosure Statement is being filed in accordance with the following provision(s):

- ☐ 37 CFR 1.97(b)(1) Within three months of the filing date of the national application. No fee is required.
- ☐ 37 CFR 1.97(b)(2) Within three months of the date of entry of the national stage as set forth in § 1.491 in the international application. No fee is required.
- ☒ 37 CFR 1.97(b)(3) Before the mailing date of a first Office Action on the merits. No fee is required.
- ☐ 37 CFR 1.97(c) After the periods specified in 37 CFR 1.97(b), but before the mailing date of either: (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first.
- ☐ The undersigned hereby certifies that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- ☐ The undersigned hereby certifies that no item of information contained in the information disclosure statement was cited in a communication from a

foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; or

- [] Enclosed is a check in the amount of \$200.00 for the fee set forth in 37 CFR § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 08-1265. Two copies of this sheet are enclosed.
- [] 37 CFR 1.97(d) After the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, but before payment of the issue fee.
- [] Applicant(s) hereby petition the Commissioner of Patents and Trademarks to consider this information disclosure statement. Enclosed is a check in the amount of \$130.00 for the petition fee set forth in § 1.17(i)(1). The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 08-1265. Two copies of this sheet are enclosed.

The Examiner is requested to consider carefully the complete text of these documents in connection with the examination of the above-identified application in accordance with 37 CFR 1.104(a). It is requested that the documents listed on the attached Form PTO-1449 be included in the "References Cited" portion of any patent issuing from this application (M.P.E.P. 1302.12), and that the Examiner initial and return a copy of the form to evidence consideration of the documents.

Dated: July 13, 2000

Respectfully submitted,

NIKOLAI, MERSEREAU & DIETZ, P.A.



Thomas J. Nikolai for
C. G. Mersereau
Attorney for Applicant(s)
Registration No. 26,205
900 Second Avenue South
Suite 820
Minneapolis, MN 55402
Phone: 612-339-7461

CERTIFICATE OF MAILING

I hereby certify that the foregoing Information Disclosure Statement Under Rule 1.56, Form PTO-1449, and a copy of each cited reference to be filed in connection with application Serial No. 09/545,536 of inventor(s), Rodney W. Salo et al., filed April 7, 2000, for "CARDIAC RHYTHM MANAGEMENT SYSTEM WITH OPTIMIZATION OF CARDIAC PERFORMANCE USING HEART RATE" is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Box DD, Washington, D.C. 20231 on July 13, 2000.



Barbara L. Davis
Secretary to C. G. Mersereau

Date of Signature: July 13, 2000

RECEIVED
CENTRAL FAX CENTER

NOV 01 2006

(2-92)

Sheet 1 of 1

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Document Number 980457.ORI	Application Number 09/545,536
	Applicant Rodney W. Salo et al.	
	Filing Date April 7, 2000	Group Art Unit

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,800,471	09/01/98	Baumann			
	5,330,511	07/19/94	Boute			
	5,800,465	09/01/98	Thompson et al.			
	5,716,383	02/10/98	Kieval et al.			
	5,179,949	01/19/93	Chirife			
	5,540,727	07/30/96	Tockman et al.			
	5,713,930	02/03/98	van der Veen et al.			
	5,792,203	08/11/98	Schroeppel			
	5,334,222	08/02/94	Salo et al.			
	5,487,752	01/30/96	Salo et al.			
	4,686,987	08/18/87	Salo et al.			
	4,674,518	06/23/87	Salo			
	5,312,452	05/17/94	Salo			
	6,044,298	03/28/00	Salo et al.			
	4,733,667	03/29/88	Olive et al.			
	5,466,245	11/14/95	Spinelli et al.			

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation YES NO
--------------------	------	---------	-------	----------	-------------------------

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

	"USEFULNESS OF PHYSIOLOGIC DUAL-CHAMBER PACING IN DRUG-RESISTANT IDIOPATHIC DILATED CARDIOMYOPATHY", <i>The American Journal of Cardiology</i> , Hochleitner, Hertenagl, Choi-Keung Ng, et al., Vol. 66, July 15, 1990, pp. 198-202
	"HEMODYNAMIC EFFECT OF PHYSIOLOGICAL DUAL CHAMBER PACING IN A PATIENT WITH END-STAGE DILATED CARDIOMYOPATHY: A CASE REPORT", Hajime Kataoka, <i>PACE</i> , Vol. 14, September 1991, pp. 1330-1335

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

(2-92)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

In Re App: Rodney W. Salo et al.
Title: CARDIAC RHYTHM MANAGEMENT SYSTEM WITH
OPTIMIZATION OF CARDIAC PERFORMANCE USING
HEART RATE

S.N.: 09/545,536

Our File NO.: 980457.ORI (CPI)

Receipt is hereby acknowledged of an Information
Disclosure Statement, a Form PTO-1449, a copy of
each cited reference and a Certificate of
Mailing.

COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

